

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

KRISTY VARGAS, <i>individually and on</i>	)	
<i>behalf of all other similarly situated</i>	)	
<i>individuals,</i>	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:22-cv-01187-MTS
	)	
J&J SNACK FOODS CORP., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on the parties’ Joint Motion for FLSA Settlement Approval. Doc. [43]. After examining the settlement agreement and the parties’ filings, the Court concludes that the litigation involves a bona fide dispute and that the settlement the parties propose is fair and equitable to each side. *See Tanner v. Empire Financing, Co.*, 4:19-cv-0825-SEP, 2020 WL 7316115, at \*1–2 (E.D. Mo. Dec. 11, 2020); *see also Williams v. BPV Mkt. Place Invs., LLC*, 4:14-cv-1047-CAS, 2014 WL 5017934, at \*2 (E.D. Mo. Oct. 7, 2014). Thus, the Court will approve the parties’ settlement.

The parties also “agree Plaintiffs are entitled to reasonable attorneys’ fees and costs for Plaintiffs’ counsel’s efforts in securing the Agreement.” Doc. [43] at 7. But the parties dispute “the measure of attorneys’ fees and costs that would be reasonable and to which Plaintiffs’ counsel is entitled.” *Id.* To resolve this remaining dispute, the parties have requested that the Court determine and award reasonable attorneys’ fees and costs to Plaintiffs’ counsel through a contested fee application process. To that end, they have

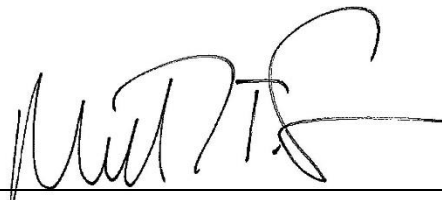
requested a briefing schedule. The Court, therefore, will enter a briefing schedule for that process.

Accordingly,

**IT IS HEREBY ORDERED** that the parties' Joint Motion for FLSA Settlement Approval, Doc. [43], is **GRANTED**, and the parties' settlement is **APPROVED**.

**IT IS FURTHER ORDERED** that Plaintiffs shall file any fee petition no later than **Thursday, March 21, 2024**. Defendant J&J Snack Foods Corp., Defendant Daddy Ray's, Inc., and Third-Party Defendant Randstad General Partner (US), LLC shall have **fourteen days** from the date of the filing of Plaintiffs' fee petition to file any response or joint response. Plaintiffs may file a reply to any response(s) within **seven days** of its filing.

Dated this 7th day of March 2024.



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MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE